

1 PHILLIP A. TALBERT  
2 United States Attorney  
3 ROBERT J. ARTUZ  
4 Assistant United States Attorney  
5 501 I Street, Suite 10-100  
6 Sacramento, CA 95814  
7 Telephone: (916) 554-2700  
8 Facsimile: (916) 554-2900

9  
10  
11 Attorneys for Plaintiff  
12 United States of America

13  
14 IN THE UNITED STATES DISTRICT COURT  
15 EASTERN DISTRICT OF CALIFORNIA

16  
17 UNITED STATES OF AMERICA, Plaintiff,  
18 v.  
19 ERIC MICHAEL JAKLITSCH, Defendant.

20 CASE NO. 2:22-CR-00015 WBS  
21 STIPULATION REGARDING EXCLUDABLE  
22 TIME PERIODS UNDER SPEEDY TRIAL ACT;  
23 ORDER  
24 DATE: July 25, 2022  
25 TIME: 9:00 a.m.  
26 COURT: Hon. William B. Shubb

27  
28 STIPULATION

1. By previous order, this matter was set for status on July 25, 2022.

2. By this stipulation, the defendant now move to continue the status conference until September 19, 2022 at 9:00 a.m., and to exclude time between July 25, 2022, and September 19, 2022, under Local Code T4.

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes over 9,900 pages and items of law enforcement reports, EDD records, bank records, ID.me records, witness statements, photographs, jail call recordings, and search warrant items. The government has also recently produced new discovery, including a Cellebrite extraction report for electronic devices seized from the defendant. All this discovery, including the seized

27 // /  
28

1 electronic devices, has been either produced directly to counsel and/or is available to the defense  
2 for inspection and copying under the current Protective Order.

3 b) Counsel for defendant desire additional time to consult with his client, to review  
4 the current charges, to conduct investigation and research related to the charges, to review  
5 discovery for this matter, to discuss potential resolutions with his client, and to otherwise prepare  
6 for trial.

7 c) Counsel for defendant believes that failure to grant the above-requested  
8 continuance would deny them the reasonable time necessary for effective preparation, taking into  
9 account the exercise of due diligence.

10 d) The government does not object to the continuance.

11 e) Based on the above-stated findings, the ends of justice served by continuing the  
12 case as requested outweigh the interest of the public and the defendant in a trial within the  
13 original date prescribed by the Speedy Trial Act.

14 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
15 et seq., within which trial must commence, the time period of July 25, 2022 to September 19,  
16 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
17 T4] because it results from a continuance granted by the Court at defendant's request on the basis  
18 of the Court's finding that the ends of justice served by taking such action outweigh the best  
19 interest of the public and the defendant in a speedy trial.

20       ///

21       ///

22       ///

23       ///

24       ///

25       ///

26       ///

27       ///

28       ///

1       4. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
2 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
3 must commence.

4       IT IS SO STIPULATED.

5  
6       Dated: July 20, 2022

7       PHILLIP A. TALBERT  
United States Attorney

8       \_\_\_\_\_  
9       /s/ ROBERT J. ARTUZ  
10      ROBERT J. ARTUZ  
11      Assistant United States Attorney

12       Dated: July 20, 2022

13       \_\_\_\_\_  
14       /s/ ALEX KESSEL  
15      Alex Kessel  
16      Counsel for Defendant  
17      ERIC MICHAEL JAKLITSCH

16       **ORDER**

17       IT IS SO FOUND AND ORDERED.

18       Dated: July 20, 2022

19         
20       WILLIAM B. SHUBB  
21       UNITED STATES DISTRICT JUDGE